

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 STEVEN RUPP, et al.,

12 Plaintiffs,

13 vs.

14 ROB BONTA, in his official capacity as
15 Attorney General of the State of
16 California,

17 Defendant.
18
19
20
21
22
23
24
25
26
27
28

Case No.: 8:17-cv-00746-JLS-JDE

[PROPOSED] JUDGMENT

Hearing Date: July 28, 2023

Hearing Time: 10:30 a.m.

Courtroom: 8A

Judge: Josephine L. Staton

1 Plaintiffs Steven Rupp, Steven Dember, Cheryl Johnson, Michael Jones,
2 Christopher Seifert, Alfonso Valencia, Troy Willis, Dennis Martin, and the
3 California Rifle & Pistol Association, Incorporated's Motion for Summary Judgment
4 as to the remaining claim of their Third Amended Complaint for Declaratory and
5 Injunctive Relief against Defendant, California Attorney General Xavier Becerra,
6 came on regularly for consideration before the Court on July 28, 2023 at 10:30 a.m.
7 Appearances by counsel are noted in the record.

8 After considering the moving, opposition, and reply briefs, all the evidence
9 submitted by both parties, and the arguments presented by the parties' respective
10 counsel, this Court issued an order (ECF NO. ____), holding that:

11 There are no genuine issues of material fact that would affect Plaintiffs' claim
12 under the Second Amendment (U.S. Const. amends. II and XIV) set forth in the
13 Third Amended Complaint and, therefore, Plaintiffs are entitled to summary
14 judgment as a matter of law, under Fed.R.Civ. P.56(a);

15 IN ACCORDANCE WITH THAT ORDER, IT IS HEREBY ORDERED THAT:

16 Plaintiffs' Motion for Summary Judgment is GRANTED and that:

17 Defendant is hereby enjoined from enforcing California Penal Code §§
18 30510(a), 30515(a)(1)(A-C), 30515(a)(1)(E-F), 30515(a)(3), 30520, 30600, 30605,
19 30925, and 30945, as well as California Code of Regulations, title 11, section 5499,
20 to the extent any of those provisions prohibits the otherwise lawful manufacturing,
21 acquisition, possession, or transfer of any semi-automatic, centerfire rifle with a
22 detachable magazine having a "pistol grip," "flash suppressor," "thumbhole stock,"
23 "telescoping" stock, or folding stock; any semiautomatic rifle with a fixed magazine
24 that has a capacity of over 10 rounds; or any semi-automatic, centerfire rifle that is
25 over 26 inches in overall length. The aforementioned sections of the California Penal
26 Code and regulations are unconstitutional violations of Plaintiffs' right to bear arms
27 under the Second Amendment to the United States Constitution. Plaintiff is the
28 prevailing party and shall be entitled to recover its reasonable costs of suit and any

1 reasonable attorneys' fees provided for by statute, according to proof.

2 Further, Defendant's motion for summary judgment filed in this action is
3 DENIED.

4 Further, Judgment as to Plaintiffs' other claims for Due Process and Takings,
5 previously dismissed by the Court on May 9, 2018 (ECF No. 49), is hereby entered
6 in favor of Defendant consistent with this Court's ruling on that motion. All relief
7 sought by Plaintiffs under those two claims is denied.

8
9
10
11 IT IS SO ORDERED.

12
13 Dated: _____

14 Honorable Judge Josephine L. Staton
15 United States District Judge
16
17
18
19
20
21
22
23
24
25
26
27
28